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Attorneys for Defendants
DIGITAL VIDEO SYSTEMS, INC.,
DOUGLAS WATSON and MALI KUO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLENBROOK CAPITAL LIMITED)	Case No. C 07-02377 JSW
PARTNERSHIP,)	
)	STIPULATION AND PROPOSED
Plaintiffs,)	ORDER MODIFYING BRIEFING
)	SCHEDULE ON MOTION TO DISMISS
vs.)	PLAINTIFF'S SECOND AMENDED
)	COMPLAINT
MALI KUO, <i>et al.</i> ,)	(Civ. L.R. 6-1, 6-2)
)	
Defendants.)	
_____)	

Pursuant to Civ. L.R. 6-1(b) and 6-2(a), Plaintiff Glenbrook Capital Limited Partnership ("Plaintiff") and Defendants Digital Video Systems, Inc., Douglas Watson and Mali Kuo (collectively "Defendants"), by and through their respective counsel, stipulate and agree as follows:

WHEREAS on July 7, 2008 the Court issued an Order Setting Briefing Schedule on Motion to Dismiss ("Order");

1 WHEREAS the Order directs Plaintiff to file its opposition to Defendants' motion to
2 dismiss Plaintiff's Second Amended Complaint no later than July 21, 2008;

3 WHEREAS the Order directs Defendants to file their reply memorandum no later than
4 July 28, 2008,

5 WHEREAS the attorney at Defendants' counsel's office responsible for briefing in this
6 case will be on a pre-scheduled, non-refundable vacation abroad from July 17 through August
7 11, 2008, and

8 WHEREAS due to the vacation schedule of Defendants' counsel as set forth above
9 Defendants request an additional three weeks to respond to Plaintiff's opposition to Defendants'
10 motion to dismiss the Second Amended Complaint;

11 IT IS HEREBY STIPULATED AND AGREED by the parties that the briefing schedule
12 set forth in the Order be modified as follows:

13 1) Plaintiff Glenbrook Capital Partners shall file their opposition to Defendants' motion
14 to dismiss Plaintiff's Second Amended Complaint no later than August 11, 2008, and

15 2) Defendants Digital Video Systems, Inc., Douglas Watson and Mali Kuo shall file
16 their reply memorandum no later than August 18, 2008.

17 This Stipulation is not requested for purposes of delay. The case is not yet at issue, and
18 the initial case management conference is not scheduled to be held until October 3, 2008.

19 The following time modifications have been made in this case:

- 20 • on June 13, 2007 Defendant DVS moved for an order extending until July 19, 2007 the
21 date by which DVS was required to respond Plaintiff's original complaint, which order
22 was granted by the Court on June 20, 2007

- 1 • on July 5, 2007 Defendants Kuo and Watson moved for an order extending until July 19,
2 2007 the date by which they were required to respond Plaintiff's original complaint,
3 which order was granted by the Court on July 11, 2007
- 4 • the parties previously stipulated that the Case Management Conference be continued
5 two months from its originally-scheduled date of August 29, 2007, which the Court
6 ordered on August 27, 2007
- 7 • following the Court's issuance of its Order granting in part and denying in part
8 Defendants' motion to dismiss the original Complaint, the parties stipulated to an
9 additional continuation of the Case Management Conference, which resulted in the
10 Court's October 3, 2007 Order setting the Case Management Conference date for
11 December 18, 2007
- 12 • on November 13, 2007 Defendants moved to extend the Case Management Conference,
13 and on November 26, 2007 the Court issued a Clerk's Notice setting the Case
14 Management Conference on January 22, 2008. On December 14, 2007, the Court issued
15 a Clerk's Notice Rescheduling Hearing, setting the Case Management Conference on
16 March 11, 2008
- 17 • on February 15, 2008 Defendants moved to continue the Case Management Conference.
18 On February 21, 2008 the Court issued a Clerk's Notice vacating the Case Management
19 Conference, and then on February 25, 2008 granted Defendants' motion and scheduled
20 the Case Management Conference for May 13, 2008. On April 7, 2008 the case was
21 reassigned to this Court, and the Case Management Conference was vacated in the
22 Reassignment Order

- on April 21, 2008 the parties submitted a stipulation and proposed order to permit Plaintiff to file its Second Amended Complaint by May 19, 2008 to permit Defendants to file their response thereto no later than 30 days thereafter. The Court granted the parties' stipulation and entered an Order on April 22, 2008
- on June 6, 2008, the parties submitted a stipulation and proposed order to grant Defendants an additional two weeks to file their response to Plaintiff's Second Amended Complaint, which order was granted on June 9, 2008.

By entering into this Stipulation, neither Plaintiff nor Defendants waive any rights, claims or defenses it or they might have in this action. This Stipulation constitutes the entire agreement among the parties, and may be signed in counterparts and/or by facsimile.. The undersigned hereby consent to the terms set forth in this Stipulation.

July 11, 2008
Dated: _____

KERR & WAGSTAFFE, LLP
Attorneys for Plaintiff
GLENBROOK CAPITAL LIMITED PARTNERSHIP

/s/ Adrian Sawyer
By: _____
Adrian Sawyer

July 11, 2008
Dated: _____

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/s/ Robert A. Spanner
By: _____
Robert A. Spanner

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Adrian Sawyer.

Dated: July 11, 2008

TRIAL & TECHNOLOGY LAW GROUP
A Professional Corporation
Attorneys for Defendants
DIGITAL VIDEO SYSTEMS, INC.,
DOUGLAS WATSON and MALI KUO

/s/ Robert A. Spanner
By: _____
Robert A. Spanner

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 11, 2008


UNITED STATES DISTRICT COURT JUDGE